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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,638	05/18/2001	Koji Fujita	SON-2097	3892

7590

02/09/2004

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EXAMINER

HARPER, HOLLY R

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 02/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/859,638

Applicant(s)

FUJITA ET AL.

Examiner

Holly R. Harper

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,9,11-15,17 and 19-25 is/are pending in the application.
- 4a) Of the above claim(s) 3-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,9,11,14,15,17,19,20,21,24,25 is/are rejected.
- 7) ☒ Claim(s) 12,13,22 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Response to Amendment

The Amendment, filed on 11/3/03 has been entered and acknowledged by the Examiner.

Claims 8 and 16 have been canceled.

Claims 1, 2, and 9 have been amended.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 9, 11, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atsushi (JP 11-003675) in view of Manske (USPN 3,954,011).

In regard to claim 1, the Atsushi reference discloses a transfer film comprising a base (Element 104), a cushion film (Element 105), a conducting layer (Element 102), and an adhesive on the metal layer (cementing layer) (English Abstract). Because the transfer film and peeling layer are removed, the adhesiveness of the cushion film to the base is stronger than the adhesiveness of the cushion film to the conducting layer. The Atsushi reference does not disclose the use of a cover film over the adhesive layer. The Atsushi reference, in the analogous art of transfer films, teaches that a release liner (cover film) is used over the adhesive layer (Column 12, Lines 6-10). A cover film helps to protect the adhesive layer from contamination.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a cover film over the adhesive layer of a transfer film, as taught by Atsushi, to protect it from contamination.

In regard to claim 9, the Atsushi reference discloses that the cushion film (peeling layer) comes in contact with the base film (transfer film) (English Abstract).

In regard to claim 11, the Atsushi reference discloses that the transfer film is made of PET (Page 4 of the English translation, Paragraph 24).

In regard to claim 14, the Atsushi reference discloses that the adhesion layer (cementing layer) comes in contact with the conducting layer (English Abstract).

In regard to claim 15, the Atsushi reference discloses that the adhesion layer is used to adhere to the inside surface of a cathode ray tube (English Abstract and Figure 2).

3. Claims 2, 17, 19-21, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atsushi (JP 11-003675) in view of Nishimura et al. (USPN 5,141,461) hereinafter "Nishimura" in further view of Manske (USPN 3,954,011).

In regard to claims 2 and 20, the Atsushi reference discloses a transfer film comprising a base (Element 104), a cushion film (Element 105), a conducting layer (Element 102), and an adhesive on the metal layer (cementing layer) (English Abstract). Because the transfer film and peeling layer are removed, the adhesiveness of the cushion film to the base is stronger than the adhesiveness of the cushion film to the conducting layer. The Atsushi reference does not disclose the use of a cover film over the adhesive layer. The Manske reference, in the analogous art of transfer films, teaches that a release liner (cover film) is used over the adhesive layer (Column 12, Lines 6-10). A cover film helps to protect the adhesive layer from contamination.

Art Unit: 2879

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a cover film over the adhesive layer of a transfer film, as taught by Manske, to protect it from contamination.

The Atsushi in view of Manske reference does not disclose that a heat absorption film is incorporated in the transfer film. The Nishimura reference teaches that a blackening film can be formed on the back of the metal layer. The blackening film helps with the absorption of the radiation heat from the mask on the appearance of the picture. It reduces the thermal reflection from the metal surface, which prevents the temperature of the mask from increasing. The blackening layer is formed in such a way that a barrier layer is created and then graphite slurry is spray-coated on (Column 2, Lines 1-20).

Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate a heat absorption film on the back of the metal layer, as taught by Nishimura, to help absorb radiation heat from the mask.

In regard to claim 17, the Atsushi reference discloses that the cushion film (peeling layer) comes in contact with the base film (transfer film) (English Abstract).

In regard to claim 19, the Nishimura reference discloses that the heat absorbing layer is disposed onto the surface of a cathode ray tube (Column 2, Lines 1-9).

In regard to claim 19, the recitation "absorbs heat from an aperture grill" has not been given patentable weight because is considered an intended used recitation. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations.

In regard to claim 21, the Atsushi reference discloses that the transfer film is made of PET (Page 4 of the English translation, Paragraph 24).

In regard to claim 24, the Atsushi reference discloses that the adhesion layer (cementing layer) comes in contact with the conducting layer (English Abstract).

In regard to claim 25, the Atsushi reference discloses that the adhesion layer is used to adhere to the inside surface of a cathode ray tube (English Abstract and Figure 2).

Allowable Subject Matter

4. Claims 12, 13, 22, and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 12 and 22, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 12 and 22, and specifically comprising the limitation that the conducting layer in the transfer film is a metal black layer.

Regarding claims 13 and 23, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 13 and 23, and specifically comprising the limitation that the conducting layer in the transfer film is made of aluminum.

Response to Arguments

5. Applicant's arguments, filed 11/3/2003, with respect to the rejection(s) of claim(s) 1-25 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

This action is made non-final.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Holly Harper whose telephone number is (571) 272-2453. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Holly Harper
Patent Examiner
Art Unit 2879



**VIP PATEL
PRIMARY EXAMINER**